

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:)

ANTHONY KIRK ANDERSON, M.D.)

Case No. 800-2015-015781

**Physician's and Surgeon's)
Certificate No. C 39027)**

Respondent)

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on September 13, 2017.

IT IS SO ORDERED September 6, 2017.

MEDICAL BOARD OF CALIFORNIA

By:


**Kimberly Kirchmeyer
Executive Director**

1 XAVIER BECERRA
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 BRIAN D. BILL
Deputy Attorney General
4 State Bar No. 239146
California Department of Justice
5 300 So. Spring Street, Suite 1702
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7 *Attorneys for Complainant*

8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 800-2015-015781

12 **ANTHONY KIRK ANDERSON, M.D.**
13 **6428 Coldwater Canyon Avenue**
North Hollywood, CA 91606

OAH No. 2017021018

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Physician's and Surgeon's Certificate No. C**
15 **39027,**

16 Respondent.

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 PARTIES

20 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
21 of California (Board). She brought this action solely in her official capacity and is represented in
22 this matter by Xavier Becerra, Attorney General of the State of California, by Christopher Leong
23 and Brian D. Bill, Deputy Attorneys General.

24 2. ANTHONY KIRK ANDERSON, M.D. (Respondent) is represented in this
25 proceeding by attorney Nicholas D. Jurkowitz, Esq., whose address is 1990 S. Bundy Drive, Suite
26 777, Los Angeles, CA 90025.

27 3. On or about December 3, 1979, the Board issued Physician's and Surgeon's
28 Certificate No. C 39027 to ANTHONY KIRK ANDERSON, M.D. (Respondent). The

1 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in
2 Accusation No. 800-2015-015781 and will expire on November 30, 2017, unless renewed.

3 JURISDICTION

4 4. Accusation No. 800-2015-015781 was filed before the (Board), and is currently
5 pending against Respondent. The Accusation and all other statutorily required documents were
6 properly served on Respondent on September 23, 2016. Respondent timely filed his Notice of
7 Defense contesting the Accusation. A copy of Accusation No. 800-2015-015781 is attached as
8 Exhibit A and incorporated by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, fully discussed with counsel, and understands the
11 charges and allegations in Accusation No. 800-2015-015781. Respondent also has carefully read,
12 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
13 and Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
16 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
17 to the issuance of subpoenas to compel the attendance of witnesses and the production of
18 documents; the right to reconsideration and court review of an adverse decision; and all other
19 rights accorded by the California Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 CULPABILITY

23 8. Respondent understands that the charges and allegations in Accusation No. 800-2015-
24 015781, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and
25 Surgeon's Certificate.

26 9. For the purpose of resolving the Accusation without the expense and uncertainty of
27 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
28 basis for the charges in the Accusation and that those charges constitute cause for discipline.

1 Respondent hereby gives up his right to contest that cause for discipline exists based on those
2 charges.

3 10. Respondent understands that by signing this stipulation he enables the Board to issue
4 an order accepting the surrender of his Physician's and Surgeon's Certificate without further
5 process.

6 RESERVATION

7 11. The admissions made by Respondent herein are only for the purposes of this
8 proceeding, or any other proceedings in which the Medical Board of California or other
9 professional licensing agency is involved, and shall not be admissible in any other criminal or
10 civil proceeding.

11 CONTINGENCY

12 12. This stipulation shall be subject to approval by the Board. Respondent understands
13 and agrees that counsel for Complainant and the staff of the Board may communicate directly
14 with the Board regarding this stipulation and surrender, without notice to or participation by
15 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he
16 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board
17 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
18 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
19 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
20 be disqualified from further action by having considered this matter.

21 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
22 copies of this Stipulated Surrender of License and Order, including Portable Document Format
23 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

24 14. In consideration of the foregoing admissions and stipulations, the parties agree that
25 the Board may, without further notice or formal proceeding, issue and enter the following Order:

26 //

27 //

28 //

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. C 39027, issued to Respondent ANTHONY KIRK ANDERSON, M.D., is surrendered and accepted by the Medical Board of California.

1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Medical Board of California.

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If he ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 800-2015-015781 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2015-015781 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Nicholas D. Jurkowitz, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED:

7/12/17

Anthony Kirk Anderson
ANTHONY KIRK ANDERSON, M.D.
Respondent

I have read and fully discussed with Respondent ANTHONY KIRK ANDERSON, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

7/16/17

Nicholas D. Jurkowitz
NICHOLAS D. JURKOWITZ, ESQ.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: 7/17/2017

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General



BRIAN D. BILL
Deputy Attorney General
Attorneys for Complainant

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EXHIBIT A

KAMALA D. HARRIS
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Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 800-2015-015781

ANTHONY KIRK ANDERSON, M.D.
6428 Coldwater Canyon Ave.
North Hollywood, California 91606

ACCUSATION

Physician's and Surgeon's Certificate
No. C 39027

Respondent.

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer ("Complainant") brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California ("Board"), Department of Consumer Affairs.

2. On or about December 3, 1979, the Board issued Physician's and Surgeon's Certificate Number C 39027 to ANTHONY KIRK ANDERSON, M.D. ("Respondent"). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2017, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code ("Code") unless otherwise

1 indicated.

2 4. Section 2227 of the Code states that a licensee who is found guilty of a violation of
3 the Medical Practice Act (Bus. & Prof. Code, § 2000 et seq.), or who has entered into a
4 stipulation for disciplinary action with the Board, may have his license revoked; suspended for a
5 period not to exceed one year; placed on probation and required to pay the costs of probation
6 monitoring; or have any other action taken in relation to discipline as the Board may deem proper.

7 5. Section 2236 of the Code states:

8 “(a) The conviction of any offense substantially related to the qualifications, functions,
9 or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this
10 chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive
11 evidence only of the fact that the conviction occurred.

12 “(b) The district attorney, city attorney, or other prosecuting agency shall notify the
13 Division of Medical Quality of the pendency of an action against a licensee charging a felony or
14 misdemeanor immediately upon obtaining information that the defendant is a licensee. The
15 notice shall identify the licensee and describe the crimes charged and the facts alleged. The
16 prosecuting agency shall also notify the clerk of the court in which the action is pending that the
17 defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds
18 a license as a physician and surgeon.

19 “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48
20 hours after the conviction, transmit a certified copy of the record of conviction to the board. The
21 division may inquire into the circumstances surrounding the commission of a crime in order to fix
22 the degree of discipline or to determine if the conviction is of an offense substantially related to
23 the qualifications, functions, or duties of a physician and surgeon.

24 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
25 deemed to be a conviction within the meaning of this section and Section 2236.1. The record of
26 conviction shall be conclusive evidence of the fact that the conviction occurred.”

27 6. Section 2239 of the Code states:

28 ///

1 “(a) The use or prescribing for or administering to himself or herself, of any controlled
2 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic
3 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to
4 any other person or to the public, or to the extent that such use impairs the ability of the licensee
5 to practice medicine safely or more than one misdemeanor or any felony involving the use,
6 consumption, or self-administration of any of the substances referred to in this section, or any
7 combination thereof, constitutes unprofessional conduct. The record of the conviction is
8 conclusive evidence of such unprofessional conduct.

9 “(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is
10 deemed to be a conviction within the meaning of this section. The Division of Medical Quality¹
11 may order discipline of the licensee in accordance with Section 2227 or the Division of Licensing
12 may order the denial of the license when the time for appeal has elapsed or the judgment of
13 conviction has been affirmed on appeal or when an order granting probation is made suspending
14 imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4
15 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of
16 not guilty, or setting aside the verdict of guilty, or dismissing the accusation, complaint,
17 information, or indictment.”

18 FIRST CAUSE FOR DISCIPLINE

19 (Conviction of a Crime)

20 7. Respondent is subject to disciplinary action under Code section 2236 in that he
21 was convicted of two crimes substantially related to the qualifications, functions, or duties of a
22 physician and surgeon. The circumstances are as follows:

23 2015 Conviction

24 8. On or about July 20, 2015, a Misdemeanor Complaint was filed in the Superior
25

26 ¹ Business and Professions Code section 2002, effective January 1, 2008, provides that
27 unless otherwise expressly provided, the term “Board” as used in the State Medical Practices Act
28 (Bus. & Prof. Code, § 2002 et seq.) means the “Medical Board of California,” and references to
the “Division of Medical Quality” and “Division of Licensing” in the Act or any other provision
of law shall be deemed to refer to the Board.

1 Court of California, County of Los Angeles in the case entitled *The People of the State of*
2 *California v. Anthony Anderson*, Case Number 5VY02944. Respondent was charged in the first
3 count as follows:

4 “ On or about [June 28, 2015] at and in the City of Los Angeles, in the County of Los
5 Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (a) of
6 Section 23152 of the California Vehicle Code [Driving Under The Influence Of
7 Alcohol/Drugs With One Prior], was committed by [ANTHONY ANDERSON], who at
8 the time and place last aforesaid, did willfully and unlawfully drive a vehicle while being
9 under the influence of an alcoholic beverage, a drug(s) and under the combined influence
10 of alcoholic beverage.”

11 The misdemeanor complaint also alleged two prior convictions in connection with the
12 first count. Specifically, it was alleged that on or about October 18, 2007, Respondent was
13 convicted of violating Code Section 36 CFR SEC 4.23A(1) (operating under the influence of
14 alcohol or drugs) in Case No. 07-1048-M, in the U.S. District Court District of Wyoming. The
15 violation occurred on July 17, 2007. Further it was alleged that on March 19, 2010, Respondent
16 was convicted of violating Vehicle Code Section 23152, subdivision (b), (driving with a blood
17 alcohol level more than .08%) in Case No. 0GN00756, and that pursuant to Vehicle Code
18 section 23540, Respondent, within ten (10) years of the commission of the above offense,
19 committed a separate violation of Vehicle Code Section 23152, subdivision (b), for which the
20 defendant was convicted.

21 The misdemeanor complaint alleged in the second count as follows:

22 “....On or about [June 28, 2015] at and in the City of Los Angeles, in the County of Los
23 Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (b) of
24 Section 23152 of the California Vehicle Code [Driving With Blood Alcohol .08% Or
25 More With One Prior], was committed by [Respondent] who at the time and place last
26 aforesaid, did willfully and unlawfully drive a vehicle with 0.08 percent or more, by
27 weight, of alcohol in his or her blood.”

28 In connection with the second count, the misdemeanor complaint also alleged the

1 same two prior convictions as alleged with the first count.

2 9. On or about November 24, 2015, Respondent plead nolo contendere to the second
3 count. On the same day, the Court found that there was a factual basis for the plea.

4 10. Respondent was sentenced to 5 years summary probation on terms and conditions,
5 including among others:

- 6 A. Serve 120 days in Los Angeles County jail.
- 7 B. Pay FINE of \$500.00 plus State penalty fund assessment of \$1,450.00.
- 8 C. Plus \$40.00 Court operations assessment.
- 9 D. Pay \$30.00 criminal conviction assessment.
- 10 E. Pay \$100.00 criminal fine surcharge.
- 11 F. Pay \$50.00; Alcohol Abuse/Prevention Assessment.
- 12 G. Pay \$100.00; Alcohol & Drug Assessment Program Fee.
- 13 H. Pay \$33.00; Laboratory Service Fund.
- 14 I. Pay \$34.00; Court Cost.
- 15 J. Driving privileges revoked for 3 years
- 16 G. Pay \$150.00; Restitution fine. Total Due \$2,488.00.
- 17 H. Make Restitution to victim.
- 18 I. Do not drive a motor vehicle with a measurable amount of alcohol in your
19 blood and submit to a chemical test of your blood on demand of any peace officer, probation
20 officer, or mandatory supervision officer.
- 21 J. Do not drive a motor vehicle without a valid driver's license... or without
22 liability insurance...
- 23 K. Comply with the Supplemental terms of probation - Ignition Interlock
24 device.
- 25 L. Pay Probation Revocation Restitution Fine.
- 26 M. Obey all laws and Orders of the Court.
- 27 N. Declared to be a habitual Traffic Offender for three (3) years.
- 28 Obey all orders, rules, and regulations, and directives of the court and jail.

1 11. The facts and circumstances of the above conviction are as follows.

2 12. On June 28, 2015, at approximately 1:00 a.m. two Los Angeles Police Department
3 (LAPD) officers were assigned Topanga Patrol. They received a radio call of a Driving Under
4 the Influence (DUI) traffic collision.

5 13. When the two LAPD officers arrived on the scene, the victim and witness were
6 sitting outside of a house. The witness stated that her husband, Respondent, is an alcoholic and
7 crashed into her daughter's boyfriend's (victim's) car. The witness stated that she heard the crash
8 and when she walked outside she saw the Respondent had parked his car in their driveway and
9 was putting his glass bottle of wine in the garage. The witnesses stated that Respondent keeps his
10 alcohol in the garage because she does not allow him to bring it inside. Witness showed the
11 officers where the bottle was and he observed a half full bottle of "Carlo Rossi" in the garage. The
12 witness advised the Respondent had crashed two of their other cars and also crashed into the side
13 of their home on previous occasions due to drinking. She stated that the victim was hurt and that
14 was why she called the police.

15 14. The victim stated he was sitting in the front passenger seat of his car parked on the
16 east side on the street across from Respondent's house when he heard tires screeching. He looked
17 behind him and saw Respondent turning onto north bound Ellenvue Ave from west bound Eilat
18 St. Respondent collided with the rear end of the victim's car causing the victim's right knee to be
19 injured. The victim watched Respondent take a drink from his glass wine bottle and then drive
20 into his driveway. The victim then notified his girlfriend and the witness of what happened.

21 15. Respondent was sitting on his couch when one of the officers asked him what was
22 going on, and he stated, "I'm a alcoholic" and refused all other questions. The officers observed
23 Respondent to have bloodshot watery eyes, had slurred and slowed speech, and had to have help
24 standing due to his unsteady gait. Respondent had a strong odor of alcohol emitting from his
25 breath.

26 **2010 Conviction**

27 16. On or about February 22, 2010, a Misdemeanor Complaint was filed in the
28 Superior Court of California, County of Los Angeles, in the case entitled *The People of the State*

1 of California v. ANTHONY KIRK ANDERSON, Case Number 0GN00756. Respondent was
2 charged with the following allegations:

3 "COUNT 1 On or about November 20, 2009, in the County of Los Angeles, the crime of
4 DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, in violation of
5 Vehicle Code section 23152(a), a Misdemeanor, was committed by ANTHONY KIRK
6 ANDERSON, who did unlawfully, while under the influence of an alcoholic beverage and
7 a drug and under the combined influence, drive a vehicle.

8 "COUNT 2 On or about November 20, 2009, in the County of Los Angeles, the crime of
9 DRIVING WHILE HAVING A 0.08% OR HIGHER BLOOD ALCOHOL, in violation
10 of Vehicle Code section 23152(b), a Misdemeanor, was committed by ANTHONY KIRK
11 ANDERSON, who did unlawfully, while having 0.08 percent and more, by weight, of
12 alcohol in the blood, drive a vehicle.

13 "It is further alleged as to Count(s) 1 and 2 that the [Respondent's] concentration of blood
14 alcohol was 0.15 percent by weight and more, within the meaning of vehicle Code section
15 23578.

16 "COUNT 3 On or about November 20, 2009, in the County of Los Angeles, the crime of
17 HIT / RUN DRIVING, in violation of Vehicle Code section 20002(a), a Misdemeanor,
18 was committed by ANTHONY KIRK ANDERSON, who was the driver of a vehicle
19 involved in an accident resulting in damage to property, who did unlawfully fail to stop
20 the vehicle at the scene of the accident and comply with subsection(s) (1) of Vehicle Code
21 section 20002(a)."

22 17. On or about March 19, 2010, Respondent plead no contest to Count 2. Counts 1
23 and 3 were dismissed.

24 18. Respondent was sentenced to 3 years summary probation on terms and conditions
25 as follows:

- 26 A. Pay a fine of \$390.00
- 27 B. Pay a State Penalty Fund Assessment of \$1,014.00.
- 28 C. Pay \$78.00 criminal fine.

- 1 D. Pay \$33.00 for the Laboratory Service Fund.
- 2 E. Pay \$75.00 Alcohol and Drug Program Assessment.
- 3 F. Pay \$50.00 Alcohol Abuse/Prevention Assessment.
- 4 G. Pay \$30.00 Court Security Assessment
- 5 H. Pay \$10.00 Citation Processing Fee
- 6 I. Pay \$30.00 Installment & Accounts Receivable Fee
- 7 J. Complete a nine (9) month Licensed First-Offender Alcohol and other
- 8 Drug Education and Counseling Program.
- 9 K. Pay \$100.00 Restitution Fine (Total Due: \$1,765.00)
- 10 L. Enroll within 21 days in an AB – 762 Program
- 11 M. Make Restitution to victim
- 12 N. Complete Victim Impact Program (VIP) of mothers Against Drunk
- 13 Driving (MADD)
- 14 O. Do not drive a motor vehicle without a valid driver's license... or without
- 15 liability insurance...
- 16 P. Do not drive a motor vehicle with any measurable amount of alcohol in
- 17 blood system. Do Not Refuse to Take A Chemical/Breath Test for Alcohol or Drug
- 18 consumption when requested by a peace officer.
- 19 Q. Obey all orders and obey all laws.
- 20 L. Perform 10 days of Cal Trans.

21 19. The facts and circumstances of the above conviction are as follows.

22 A. A California Highway Patrol (CHP) Officer made the following

23 statements in his report:

24 On November 20, 2009, at approximately 7:40 p.m. a CHP Officer was on routine patrol.

25 The Officer was dispatched to a property damage traffic collision at Waltonia Dr. and La Granada

26 Way. He arrived on scene at 7:50 p.m. and observed a black Hyundai parked on the east side

27 walk of Waltonia Dr. and appeared to have been involved in a traffic collision. He was advised

28 that the subject had fled the scene.

1 Upon observing the scene of the collision, a woman approached and related that her
2 husband (Respondent) had just came home and said he was just involved in a traffic collision.
3 The woman was identified by her valid California Drivers License as M.C.² She then related
4 that Respondent came home, took a shower and did not consume any alcohol. The Officer went to
5 the house and contacted the Respondent and questioned him about the collision. Respondent
6 admitted to being involved in a collision. He related that he was driving a black Hyundai and
7 collided into the rear of a trailer. When asked why he left the scene of the collision, he stated, "I
8 was scared." Later in the parking lot of Respondent's residence, the Officer observed Respondent
9 had an unsteady gait and walked slowly and deliberately. The Officer observed objective signs of
10 alcohol intoxication; that Respondent's eyes were red and watery, and he had the odor of an
11 alcohol beverage emitted from his breath. The Officer asked Respondent if he had anything to
12 drink recently and he stated, "I had a wine." When asked how much, Respondent replied, "A lot."
13 The Officer observed that Respondent's speech was slurred.

14 Then the officer asked Respondent if he had anything to drink after the collision and he
15 related that he had not. Respondent was subjected to a series of field sobriety tests (FST's), which
16 he failed to perform. Based on the observations of the subject, his objective signs of alcohol
17 intoxication, his failure to perform the FST's, his involvement with the traffic collision,
18 Respondent was arrested for driving while under the influence of an alcoholic beverage and being
19 unable to safely operate a motor vehicle at the time of the traffic collision.

20 Respondent took two breath tests, resulting in .18, and .17 Blood Alcohol Content
21 measurements.

22 SECOND CAUSE FOR DISCIPLINE

23 (Excessive Use of Alcohol)

24 20. Respondent is subject to disciplinary action under Code sections 2239, in that he
25 used alcohol to the extent or in such a manner as to be dangerous or injurious to himself, other
26

27 _____
28 ² Names are reduced to initials for privacy.

1 persons, and the public. The facts and circumstances in the First Cause for Discipline are
2 incorporated herein as if fully set forth.

3 PRAYER

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Medical Board of California issue a decision:


6 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 94064,
7 issued to Anthony Kirk Anderson, M.D.;

8 2. Revoking, suspending or denying approval of Anthony Kirk Anderson, M.D.'s
9 authority to supervise physician assistants pursuant to Code section 3527;

10 3. Ordering Anthony Kirk Anderson, M.D., if placed on probation, to pay the Medical
11 Board of California the costs of probation monitoring; and

12 4. Taking such other and further action as deemed necessary and proper.

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14
15 DATED: September 23, 2016


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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